27 January 1955

Memorandum for: Deputy Director (Administration)

Subject   : Proposed Amendment of Agency Regulation   25X1A
                     No. ▆▆▆▆

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1. At your request we have reviewed two drafts of a proposed revision of Regulation ▆▆▆▆ One draft effects certain specific amendments to the existing regulation, whereas the other draft recasts the whole regulation to conform to the general Agency pattern. In our review of these drafts, you have asked us to consider whether or not they can be materially shortened.

2. The existing Regulation ▆▆▆▆ is based on the sample regulation prepared by the Attorney General at the direction of the President. In his letter to the heads of all departments and agencies transmitting Executive Order 10450, the President said,

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"I have arranged that the Attorney General supply to the head of each department and agency sample regulations designed to establish minimum standards for the implementation of the security program under this order."

Accordingly, we do not believe we should make changes which involve questions of taste, and we advise against shortening the regulation materially or recasting it to conform to our other regulations. We will, therefore, consider only the draft which retains the general form of the existing regulation.

3. The following changes should, in our opinion, be made:

a. Opening paragraph, fourth line. Delete words "by Executive Orders No. 10491, No. 10531, and No. 10548."

b. Opening paragraph, last line. Delete the reference
25X1A   to CIA ▆▆▆▆

c. __Section 1(b)__. Move this Paragraph with the amendments indicated below to Section 2 and reletter Paragraphs (c) and (d) of Section 1, (b) and (c) respectively.

d. __Section 2(a), third line__. Substitute the words "Executive Order No. 10450, as amended," for "Executive Orders No. 10450 and No. 10491."

e. __Section 2(b)__. Insert the following after Paragraph (a):

"(b) All positions in the Central Intelligence Agency occupied by Ⅹ staff employee⁵ are hereby designated sensitive positions within the meaning of Section 3(b) of Executive Order No. 10450, based on the fact that the occupants of such positions in the Central Intelligence Agency can bring about, through the nature of such positions, a material adverse effect on the national security."

Reletter Paragraph (b) of Section 2, Paragraph (c).

f. __Section 4(b)__. Substitute the words "CIA Regulations" for "CIA Regulation ████████   25X1A

g. __Section 5(a)__. Reword to read as follows:

"The authority conferred upon the Director by the Act of August 26, 1950, 64 Stat. 476 and Executive Order No. 10450 to suspend civilian employees of the Central Intelligence Agency, without pay, when deemed necessary in the interests of national security is hereby delegated to the Assistant Director for Personnel. Any employees served charges under the provisions of this Regulation shall be suspended prior to or simultaneously with the service of the charges."

h. __Section 5(g)(1)__. Delete the words "retention or retransfer" from the first line and the words "in such position, retain, or retransfer as the case may be" from the third and fourth lines.

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i. **Section 5(g)(2), first line.** Substitute the words "in the position from which the employee was suspended" for the words "or retransfer".

j. **Section 5(g)(3), first line.** Delete the word "retention".

k. **Section 6, sixth line.** Substitute words "Executive Order No. 10450, as amended," for words "Executive Orders No. 10450 of 27 April 1953 and No. 10491 of 13 October 1953."

l. **Section 8(b)(2)(b), first and second lines.** Delete the words "if appropriate".

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m. **Section 10.** Delete the two references to CIA Regulation ▮▮▮▮▮▮▮▮

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4. The Department of Justice has requested that we discuss any proposed changes in ▮▮▮▮▮▮ with them. The above changes are comparatively minor and are generally occasioned by factors peculiar to CIA, such as the fact that all positions in CIA are designated as sensitive positions. The changes should therefore be acceptable to the Justice Department.

Lawrence R. Houston
General Counsel

Attachment

cc: Office of Security